IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 15TH OCTOBER 2007 / 23RD ASWINA 1929

WP(C).No. 30387 of 2007(P)

PETITIONER:

ROSILY V.V., AGED 45 YEARS,
W/O.C.J.STEPHEN, CHELAKKATTU VEEDU,
VYTILLA P.O., JANATHA ROAD, COCHIN 19

BY ADV. SMT.SANDHYA RAJU
SMT.RASHMI RAMESH
SMT.P.A.JAIMOLE

RESPONDENTS:

REGISTRATION INSPECTOR GENERAL OFFICE,
KOTTAYAM.

BY G.P. SRI.BEJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/10/2007, THE COURT ON 15/10/2007 DELIVERED THE FOLLOWING:

V.GIRI, J.

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W.P.(C) No.30387 of 2007

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Dated this the 15th day of October, 2007.

JUDGMENT

The grievance highlighted by the petitioner herein presents a distressing picture. The petitioner was working as a Binding Supervisor in the Ernakulam District Registration Office. She was transferred to the Kottayam Office on 31.8.2006. The petitioner prays for a posting back to Ernakulam and according to her, she approached the authorities on several occasions. Ext.P6 is a representation pending in this regard before the Inspector General of Registration submitted through proper channel.

2. The petitioner highlights the fact that she has a son who suffers from mental retardation and is diagnosed as having 90% disability, which comes under the category of profound disability. The child is undergoing ayurvedic treatment at an ayurvedic pharmacy. The child is also regularly taken to the Asha Kendra, which has a facility for normalising mentally retarded children. This is evidenced by Ext.P5. The petitioner makes reference to Ext.P2 Government Order which includes parents of mentally retarded children as a preferential category for posting in places of their choice.

3. I heard the learned counsel for the petitioner, the learned Government Pleader and have considered the averments made in the W.P. as also in the documents produced along with. I am convinced that this is one of the cases where, unless there are exceptional circumstances, the petitioner's request for a transfer to Ernakulam or a place nearby in Ernakulam District, should be accepted and orders must be passed by the competent authority without further delay in that regard. The petitioner has only one child and it seems that the child has to be regularly looked after and but for the mother, obviously there does not seem to be anybody else who can take care of the needs of the mentally retarded child.

4. In the circumstances, W.P. is disposed of directing the first respondent to look into Ext.P6 and take a decision thereon in the light of the observations made above at the earliest, at any rate within a period of three weeks from the date of receipt of a copy of this judgment.

V.GIRI
Judge

pms